

**Interested Persons Meeting
8th Floor Hearing Room
January 23, 2008 at 10:00 a.m.**

**Possible Modification of Emergency Regulation 18413 for Adoption as a
Permanent Regulation at the Commission's Meeting in March, 2008.**

On December 13, 2007 the Commission adopted an emergency regulation in response to a recent opinion by the United States Court of Appeal for the Ninth Circuit, *California ProLife Council, Inc. v. Randolph et al.*, 507 F. 3d 1172 (9th Cir. 2007). The court affirmed California's compelling interest in disclosure of the identities of persons that fund independent expenditures supporting or opposing ballot measures, made by plaintiff and groups like plaintiff, a multi-purpose non-profit corporation organized under Section 501(c)(4) of the Internal Revenue Code. But the court found that California could preserve its compelling interest in disclosure of these funding sources without requiring that groups like plaintiff file a Statement of Organization as a recipient committee, with the associated duties of formal termination, appointment of a treasurer, periodic campaign reports, or maintenance of records required a recipient committee.

Since the court disapproved imposition of the incidental burdens of recipient committee status on groups like plaintiff, the emergency regulation offers a multi-purpose Section 501(c)(4) corporation a reporting option that eliminates those burdens for a corporation that makes occasional independent expenditures on California ballot measures from general treasury funds.

When the emergency regulation was adopted, the Commission received a number of comment letters urging that the regulation be expanded in scope to include multi-purpose non-profit corporations other than those organized under Section 501(c)(4). The Commission would appreciate receiving comments and justifications for or against expanding the scope of the final regulation, as well as comments on other provisions of the emergency regulation, or provisions that might appropriately be added to the final regulation.

In addition to attendance at this meeting, interested persons may contact the Commission by letter at the address listed above. If you have any questions on this meeting, please call Lawrence T. Woodlock or Hyla P. Wagner at (916) 322-5660.